

# SAN ANTONIO PLANNING COMMISSION AGENDA

August 25, 2004

2:00 P.M.

Susan Wright, *Chairperson*

James Daryl Byrd, *Vice Chairperson*

Murray H. Van Eman, *Chair – Pro Tem*

Mitch Meyer


Cecilia Garcia

Robert Hanley

Amelia Hartman

Jose R. Limon

Dr. Francine S. Romero

 THE DEVELOPMENT AND BUSINESS SERVICES (DBS) CENTER, LOCATED AT 1901 SOUTH ALAMO STREET IS WHEELCHAIR-ACCESSIBLE. ACCESSIBLE PARKING IS LOCATED AT THE FRONT OF THE BUILDING. AUXILIARY AIDS AND SERVICES ARE AVAILABLE UPON REQUEST. INTERPRETERS FOR THE DEAF MUST BE REQUESTED AT LEAST 48 HOURS PRIOR TO THE MEETING BY CALLING (210) 207-7245 VOICE/TDD.

YOU CAN CALL (210) 207-0121 FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM BELOW.

## 1. PRELIMINARY ITEMS

A. Land Development Services Committee, 12:00 P.M., Tobin Room

B. Work session, 1:30 P.M., Tobin Room

- Briefing on agenda items, any of which may be discussed (Development Services)

2. 2:00 P.M.– Call to Order, Board Room

3. Roll Call

## 4. PUBLIC HEARINGS

### REPLATS:

		Council District	Ferguson Index #
A. 030431	Blakeley Place, No. 5 (On the east side of Exeter Street, 149.89' south of Austin Highway)	10	583 E-4
B. 040389	University Heights Retail (On the west side of Interstate 10, 447.8' north of De Zavala Road)	8	548 D-1

---

## CONSENT ITEMS

### PUBLIC HEARINGS FOR ITEMS 5 & 6 HELD ABOVE:

5.	030431	Blakeley Place, No. 5 (On the east side of Exeter Street, 149.89' south of Austin Highway)	10	583 E-4
6.	040389	University Heights Retail ((On the west side of Interstate 10, 447.8' north of De Zavala Road)	8	548 D-1

**PLATS:**

- |     |        |   |     |                    |
|-----|--------|---|-----|--------------------|
| 7.  | 030145 | <b>The Enclave in The Woods</b><br>(On the west side of Olde Village Drive, west of Don Mills Street)                                   | 7   | 547 B-8            |
| 8.  | 030560 | <b>Patriot Mini-Storage</b><br>(At the intersection of Marbach Road and Old Hunt Lane)  | 4   | 613 A-6            |
| 9.  | 040194 | <b>Mission Creek, Phase 3 TIF</b><br>(On the north side of Spur 122 [South Presa Street], approximately 1,877' west of Siluria Street ) | 3   | 683 E-3            |
| 10. | 040216 | <b>Seale, U-1</b><br>(On the northwest side of Cagnon Road, 1805' to Marbach Road)  | OCL | 611 F-7<br>612 A-7 |
| 11. | 040295 | <b>The Gardens at The Dominion, Ph-2 PUD</b><br>(At the southeast corner of Dominion Drive and Westcourt Lane)                          | 8   | 480 A-1/A-2        |
| 12. | 040299 | <b>Central Park C.J.W.</b><br>(On the north side of West Lawndale drive, 350' east of Everest Avenue)                                   | 9   | 583 B-1            |
| 13. | 040326 | <b>Classen Crest, U-5</b><br>(At the intersection of Boxtree Lane and Emerald Oaks)   | 9   | 517 F-2            |
| 14. | 040356 | <b>Emerald Forest, U-4B PUD</b><br>(Near the intersection of Hardy Oak and Andover Bay, north of Steubing Oaks)                         | 9   | 517 A-1            |

**PLAT DEFERRALS:**

- |     |        |   |   |         |
|-----|--------|---|---|---------|
| 15. | 040405 | <b>Rice Road</b><br>(On Rice Road, west of South W.W. White Road) | 9 | 517 A-1 |
|-----|--------|---|---|---------|

**SPECIAL PROJECTS:**

- |     |  |  |  |  |
|-----|--|--|--|--|
| 16. | <b>SP Numbers 1139 &amp; 1150</b> Consideration of a request for licenses to use air space over Losoya Street public right-of-way for three (3) balconies adjacent to NCB 145, Lots 10, 11 and 12 (Asset Management) |  |  |  |
|-----|--|--|--|--|

---

**INDIVIDUAL CONSIDERATION**

- |     |           |  |     |         |
|-----|-----------|--|-----|---------|
| 17. | 040129    | <b>Manuel &amp; Rosaria Lara</b> (Plat deferral appeal)<br>(On the north side of Briggs Road, 1498' west of Kinney Road)   | OCL | 712 D-8 |
| 18. | BPV04-004 | <b>New Northside Ford</b> (Variance to sidewalk requirements)<br>(Bounded by US 281 North to the west and Arion Parkway to the north)<br><i>This item was continued from the August 11, 2004 public meeting.</i> | 9   | 550 F-2 |

19. **RWD04-08-004 Carlos and Teresa Cantu** (ROW Dedication) **OCL 718 A-7**  
(East of the intersection of Rabel Road and FM 1937 on Rabel Road)
20. **RWD04-08-005 Michael Cantu** (ROW Dedication) **OCL 718 A-7**  
(East of the intersection of Rabel Road and FM 1937 on Rabel Road)
21. **RWD04-08-006 Carlos Cantu, Jr.** (ROW Dedication) **OCL 718 A-7**  
(East of the intersection of Rabel Road and FM 1937 on Rabel Road)

**OTHER ITEMS:**

22. Public hearing and consideration of a request to approve the proposed transfer of the City-owned Cattleman's Square parking lot and the Business and Technology Center properties in exchange for 6.0027 acres of land located in HemisFair Park which is owned by the University of Texas Board of Regents (Asset Management)
23. Public hearing and consideration of a resolution amending the Land Use Plan contained in the Southside Initiative Community Plan, a component of the Master Plan of the City, by changing the use of approximately 413-acres located 1100 feet west of the intersection at Blue Wing Road and Southton Road from Rural Living land use to Urban Living land use (Planning Department)
24. Public hearing and consideration of a resolution amending the text that describes commercial nodes to add the "intersection of Oakland and Huebner" to Chapter III Zoning and Land Use, section A. Zoning, in the Oakland Estates Neighborhood Plan, a component of the Master Plan of the City (Planning Department)
25. Vested Rights Permit # 04-04-098 Appeal for the Callaghan Evers Commercial Project plan. (Development Services Dept.) *This item was continued from the August 11, 2004 public meeting.*
26. Vested Rights Permit # 04-06-124 Appeal for the Hamilton Wolfe Site Project plan. (Development Services Dept.)
27. Briefing on the City's Capital Improvements Budget for the 2004-2005 fiscal year. (City Manager's Office)
28. Briefing relative to proposed amendments to the Unified Development Code. (Development Services Dept.)
29. Discussion and appointments of Land Development Services Committee Chair and two (2) new Planning Commission representatives
30. Citizens to be heard
31. Approval of the minutes for the July 14, 2004 and August 11, 2004 public meetings
32. Director's report
33. Questions and discussion

34. Executive Session: consultation on attorney-client matters (real estate, litigation, contracts, personnel, and security matters) as well as any of the above agenda items may be discussed
35. **ADJOURNMENT**

**PLANNING COMMISSION**  
**PUBLIC HEARING AND CONSIDERATION OF REPLAT**

AGENDA ITEM NO: 5 August 25, 2004

BLAKELEY PLACE NO. 5  
SUBDIVISION NAME

MINOR PLAT

030431  
PLAT #

**COUNCIL DISTRICT: 10**

**FERGUSON MAP GRID: 583 E-4**

**OWNER:** G.W. Mitchell & Sons, Inc., by Lane Mitchell

**ENGINEER:** Brown Engineering Company, by Steven Brown

**CASE MANAGER:** David Stallworth, Planner II

**Date filed with Planning Commission:** August 9, 2004

**Location:** On the east side of Exeter Street, 149.89' south of Austin Highway

**Services Available:** SAWS water and sewer

**Zoning:** C-3, Commercial

**Proposed Use:** Commercial

---

**APPLICANT'S PROPOSAL:**

To replat **one (1) non-single-family** lot consisting of **1.259** acres from portions of **two (2)** previously platted lots

**STAFF RECOMMENDATION:**

Approval

**PLANNING COMMISSION**  
**PUBLIC HEARING AND CONSIDERATION OF REPLAT**

AGENDA ITEM NO: **6** August 25, 2004

UNIVERSITY HEIGHTS RETAIL  
**SUBDIVISION NAME**

MINOR PLAT

040389  
**PLAT #**

**COUNCIL DISTRICT: 8**

**FERGUSON MAP GRID: 548 D-1**

**OWNER:** Cencor Realty Services, Inc., by Michael Schoenbrun

**ENGINEER:** Moy Civil Engineers, by Duane Moy

**CASE MANAGER:** David Stallworth, Planner II

**Date filed with Planning Commission:** August 9, 2004

**Location:** On the west side of Interstate 10, 447.8' north of De Zavala Road

**Services Available:** SAWS water and sewer

**Zoning:** I-1, Industrial; C-3, Commercial; ERZD, Edwards Recharge Zone District

**Proposed Use:** Commercial

---

**APPLICANT'S PROPOSAL:**

To replat **one (1) non**-single-family lot consisting of **2.113** acres from a portion of **one (1)** previously platted lot

**DISCUSSION:**

Edwards Recharge Zone: The Aquifer Studies Office of San Antonio Water Systems has determined that this plat meets all of the requirements for development over the recharge zone, as indicated in their attached response.

**STAFF RECOMMENDATION:**

Approval

**PLANNING COMMISSION  
SUBDIVISION**

AGENDA ITEM NO: 7 August 25, 2004

THE ENCLAVE IN THE WOODS  
SUBDIVISION NAME

MINOR PLAT

030145  
PLAT #

**COUNCIL DISTRICT: 7**

**FERGUSON MAP GRID: 547 B-8**

**OWNER:** Ryland Homes of Texas, by Steven Hanan

**ENGINEER:** M.W. Cude Engineers, by Michael Cude

**CASE MANAGER:** David Stallworth, Planner II

**Date filed with Planning Commission:** August 9, 2004

**Location:** On the west side of Olde Village Drive, west of Don Mills Street

**Services Available:** SAWS water and sewer

**Zoning:** R-6, Single-family Residential

**Plat is in accordance with:** POADP/MDP #54-A, *Oakridge Village*, approved 7/27/04

**Proposed Use:** Single-family residential

---

**APPLICANT'S PROPOSAL:**

To replat **110** single-family lots, **7 non**-single-family lots and **4,378** linear feet of public street consisting of **31.67** acres

**STAFF RECOMMENDATION:**

Approval

**PLANNING COMMISSION  
SUBDIVISION PLAT**

AGENDA ITEM NO: **8** August 25, 2004

PATRIOT MINI STORAGE  
**SUBDIVISION NAME**

**MAJOR PLAT**

030560  
**PLAT #**

**COUNCIL DISTRICT:** 4

**FERGUSON MAP GRID:** 613 A-6

**OWNER:** Ruben Sandoval

**ENGINEER:** Macina, Bose, Copeland & Associates, Inc., by Robert A. Copeland, JR.

**CASE MANAGER:** Roland Trevino, Planner II

**Date filed with Planning Commission:** August 3, 2004

**Location:** At the intersection of Marbach Road and Old Hunt Lane

**Services Available:** Bexar Metropolitan Water District and SAWS Sewer

**Zoning:** C-2NA Commercial, Nonalcoholic Sales District

**Plat is in accordance with:**

POADP/MDP #556, Potranco 381 was approved on May 30, 1997

**Proposed Use:** Mini Storage

**Major Thoroughfare:** **Marbach Road** and **Old Hunt Lane** are Secondary Arterial, Type A, minimum R.O.W. **86** feet

---

**APPLICANT'S PROPOSAL:**

To plat **1 non-single** family lot with consisting of **2.745** acres

**STAFF RECOMMENDATION:**

Approval



**PLANNING COMMISSION  
SUBDIVISION PLAT**

**AGENDA ITEM NO: 9 August 25, 2004**

**MISSION CREEK, PHASE 3 T.I.F.  
SUBDIVISION NAME**

**MAJOR PLAT**

**040194  
PLAT #**

**COUNCIL DISTRICT: 3**

**FERGUSON MAP GRID: 683 E-3**

**OWNER:** HLH Development, LLP, by Harry Hausman

**ENGINEER:** Seda Consulting Engineers, Inc., by Salah Diab

**CASE MANAGER:** Luz M. Gonzales, Planner II

**Date filed with Planning Commission:** August 9, 2004

**Location:** On the north side of (South Presa) Spur 122, approximately 1,877' west of Siluria Street.

**Services Available:** SAWS Water and Sewer

**Zoning:** R-4 Residential Single Family District

**Plat is in accordance with:**

P.O.A.D.P./M. D. P. # 736A, Mission Creek Subdivision, approved 5-7-03

**Proposed Use:** Residential

**Major Thoroughfare:** (South Presa) Spur 122 is a secondary arterial, Type A, minimum R.O.W. 86 feet.

---

**APPLICANT'S PROPOSAL:**

To plat 88 single family lots with 3,440 linear feet of public streets consisting of 15.623 acres.

**STAFF RECOMMENDATION:**

Approval.

**PLANNING COMMISSION  
SUBDIVISION PLAT**

AGENDA ITEM NO: 10 August 25, 2004

SEALE UNIT-1

MAJOR PLAT

040216

**SUBDIVISION NAME**

**PLAT #**

**COUNCIL DISTRICT:** Outside San Antonio City Limits

**FERGUSON MAP GRID:** 611 F-7 & 612 A-7

**OWNER:** Milestone Potranco Development, Ltd., by Chesley I. Swann III

**ENGINEER:** Overby Descamps Engineers, Inc., by Raymond Tarin Jr.

**CASE MANAGER:** Roland Trevino, Planner II

**Date filed with Planning Commission:** August 10, 2004

**Location:** On the northwest side of Cagnon Road, 1805' to Marbach Road

**Services Available:** BexarMet Water District and SAWS Sewer

**Zoning:** Outside San Antonio City Limits

**Plat is in accordance with:**

POADP/MDP #791, Seale 351.25 Acre Tract was approved on August 9, 2004

**Proposed Use:** Single-Family Residential

---

**APPLICANT'S PROPOSAL:**

To plat **160** single family lots with **5877** linear feet of public streets  
consisting of **32.16** acres

**STAFF RECOMMENDATION:**

Approval

**PLANNING COMMISSION  
SUBDIVISION**

**AGENDA ITEM NO: 11 August 25, 2004**

THE GARDENS AT  
THE DOMINION, PH-2 PUD  
**SUBDIVISION NAME**

**MAJOR PLAT**

040295  
**PLAT #**

**COUNCIL DISTRICT: 8**

**FERGUSON MAP GRID: 480 A-1, A-2**

**OWNER:** D.R. Horton, Inc., by Timothy Pruski

**ENGINEER:** Moy Civil Engineers, by Duane Moy

**CASE MANAGER:** David Stallworth, Planner II

**Date filed with Planning Commission:** August 9, 2004

**Location:** At the southeast corner of Dominion Drive and Westcourt Lane

**Services Available:** SAWS water and sewer

**Zoning:** R-6, Single-family residential; PUD, Planned Unit Development

**Plat is in accordance with:** POADP/MDP #55, *The Dominion*, approved 6/29/04  
PUD #04-019, *The Gardens at the Dominion*, apr. 7/28/04

**Proposed Use:** Single-family residential

---

**APPLICANT'S PROPOSAL:**

To plat **138** single-family lots and **5,684** linear feet of private street consisting of **39.540** acres

**STAFF RECOMMENDATION:**

Approval

# PLANNING COMMISSION

## REPLAT

AGENDA ITEM NO: 12 August 25, 2004

CENTRAL PARK C.J.W.  
SUBDIVISION NAME

MINOR PLAT

040299  
PLAT #

**COUNCIL DISTRICT: 9**

**FERGUSON MAP GRID: 583 B-1**

**OWNER:** Central Park Congregation of Jehovah's Witnesses, by Saul Maldonado

**SURVEYOR:** Harry Jewett and Associates, by Harry Jewett

**CASE MANAGER:** David Stallworth, Planner II

**Location:** On the north side of West Lawndale Drive, 350' east of Everest Avenue

**Services Available:** SAWS water and sewer

**Zoning:** R-5, Residential Single-family District

**Proposed Use:** Church

---

### APPLICANT'S PROPOSAL:

To replat **one (1) non**-single-family lot consisting of **0.894** acres from a remaining portion of **one (1)** previously platted lot

### DISCUSSION:

Public Notice: The original plat, the *Olmos Park Heights Subdivision* plat, is recorded in volume 980, page 29 of the Bexar County Deed and Plat Records.

A public hearing for this plat project that involved written notification to affected property owners was held on August 11, 2004. A total of fifteen (15) notices were mailed, and one response card in opposition to the project was received. There were no homeowners' associations within 500 feet of the replat area. As this replat does not involve a variance, subsection 212.0159(c), V.T.C.A. requiring a three-fourths affirmative vote will not be applicable

### STAFF RECOMMENDATION:

Approval

**PLANNING COMMISSION  
SUBDIVISION PLAT**

AGENDA ITEM NO: 13 August 25, 2004

CLASSEN CREST, UNIT 5  
SUBDIVISION NAME

MAJOR PLAT

040326  
PLAT #

**COUNCIL DISTRICT: 9**

**FERGUSON MAP GRID: 517 A-1**

**OWNER:** KB Home Lone Star, L.P., by Scott Finfer

**ENGINEER:** Brown Engineering Co., by Charles Grady Koehl

**CASE MANAGER:** Luz M. Gonzales, Planner II

**Date filed with Planning Commission:** August 9, 2004

**Location:** Near the intersection of Hardy Oak and Andover Bay, north of Steubing Oaks

**Services Available:** SAWS Water and Sewer

**Zoning:** NP-10 Neighborhood Preservation District  
ERZD Edwards Recharge Zone District

**Plat is in accordance with:**

P.O.A.D.P./M. D. P. # 704, Los Caminos, approved on 4-16-01

**Proposed Use:** Residential

**Major Thoroughfare:** Hardy Oaks Name is a secondary arterial, Type A, minimum R.O.W. 86 feet.

---

**APPLICANT'S PROPOSAL:**

To plat 74 single family lots with 3,150 linear feet of public streets, all consisting of 28.393 acres.

**DISCUSSION:**

This plat lies within the Edwards Recharge Zone District and has been reviewed by the Aquifer Studies Office of San Antonio Water Systems, as indicated in the attached report. No significant recharge features were observed on this site.

This plat meets all of the requirements for development over the recharge zone.

It is also noted that because plat # 030115 provides access to this development, which has been approved, must be recorded before this unit.

**STAFF RECOMMENDATION:**

Approval.

**PLANNING COMMISSION  
SUBDIVISION PLAT**

AGENDA ITEM NO: **14** August 25, 2004

EMERALD FOREST, UNIT 4B, PUD  
**SUBDIVISION NAME**

**MAJOR PLAT**

040356  
**PLAT #**

**COUNCIL DISTRICT: 9**

**FERGUSON MAP GRID: 517 F-2**

**OWNER:** Sitterle Corporation, by Guy Shown

**ENGINEER:** Pape-Dawson Engineers, Inc., by Rick Wood

**CASE MANAGER:** Luz M. Gonzales, Planner II

**Date filed with Planning Commission:** August 9, 2004

**Location:** At the intersection of Boxtree Lane and Emerald Oaks

**Services Available:** SAWS Water and Sewer

**Zoning:** R-6 PUD Residential Single Family District  
Planned Unit Development

**Plat is in accordance with:**

P.O.A.D.P./M. D. P. # 337, Emerald Forest, approved on 12-8-92

P.U.D. # 93-002A-1, Emerald Forest, approved on 10-13-00

**Proposed Use:** Single Family Residential

---

**APPLICANT'S PROPOSAL:**

To plat **24** single family lots, **3 non-single family lot(s)** (street and greenbelt) with **1,807** linear feet of private streets, all consisting of **12.35** acres.

**DISCUSSION:**

This plat lies within the Edwards Recharge Zone District and has been reviewed by the Aquifer Studies Office of San Antonio Water Systems, as indicated in the attached report. No significant recharge features were observed on this site.

This plat meets all of the requirements for development over the recharge zone.

**STAFF RECOMMENDATION:**

Approval.



**PLANNING COMMISSION  
PLAT DEFERRAL**

AGENDA ITEM NO: **15** August 25, 2004

RICE ROAD

**SUBDIVISION NAME:**

040405

**PLAT #:**

**COUNCIL DISTRICT: 2**

**FERGUSON MAP GRID:** 618 D-7

**OWNER:** Kalpesh N. Patel

**CONSULTANT:** Sinclair & Associates, by Lemuel T. Sinclair

**CASE MANAGER:** Mark Celestino, Planner I

**Location:** On Rice Road, west of S WW White Road

**Zoning:** R5 – Single Family Residence District

**Proposed use:** Single family residence

---

**APPLICANT'S PROPOSAL:**

To plat **4** single family residential lots consisting of **0.546** acres.

**APPLICANT'S REQUEST:**

The applicant is requesting temporary utility service and building permits prior to plat approval & recordation on the proposed **lot 54** only in order to begin construction as soon as possible. The applicant states that his family, which includes his wife and two children, is currently residing at the Days Inn located at 11202 IH 35 N. The applicant further asserts that if the deferral is not granted, his family must continue living at the hotel, which does not provide proper living conditions for a family, thus, creating extreme stress and hardship.

**STAFF RECOMMENDATION:**

The Director of Development Services recommends approval of the plat deferral with the following conditions:

1. No permanent utility service or building permit shall be issued until the plat is approved and recorded in the office of the County Clerk.
2. The plat is formally filed within 180 days of this action and considered by the Planning Commission within 30 days of a formal plat filing.
3. If no utility service or building permit is issued within 180 days, plat filing fees will not be refunded and the plat deferral request shall become null and void.

**PLANNING COMMISSION  
PLAT DEFERRAL APPEAL**

**AGENDA ITEM NO: 17 August 25, 2004**

**MANUEL & ROSELVIA LARA**

**SUBDIVISION NAME:**

**040129**

**PLAT #:**

**COUNCIL DISTRICT:** Outside San Antonio city limits

**FERGUSON MAP GRID:** 712-D8

**OWNER:** Jaime Medina

**ENGINEER:** G. Gonzales Engineering by Ed Campos

**Location:** On the north side of Briggs Road, 1498' west of Kinney Road

**Plat status:** Plat deferral was approved February 25, 2004

---

**APPLICANT'S REQUEST:**

Applicant was requesting an additional 60-day extension to the plat deferral process to resolve drainage issues relating the plat approval process. Temporary electric service has been issued in conjunction with the deferral approval.

**DISCUSSION:**

During the course of evaluating the time extension request, staff discovered that part of this site does lie in a floodplain. A timeline has been prepared to clarify conditions leading up to this review.

Feb. 25, 2004                      The Planning Commission approved the plat deferral.

June 10, 2004                      The engineer and applicant were notified by certified mail that the deferral was about to expire, however, both mailings were returned undelivered.

Aug. 11, 2004                      The applicant submitted a written request for a time extension for the deferral.

Aug. 12, 2004                      Staff confirms with Bexar County Public Works that part of the site is within a flood plain. Bexar County has asked for a flood plain study.

Aug. 25, 2004                      The deferral is scheduled to expire.  
In light of recent developments, the engineer has proposed that the portion of the subject property containing flood plain be excluded from the project and that the

project footprint be revised. Both Development Services and Bexar County Public Works staffs offer no objection to this proposal

**STAFF RECOMMENDATION:**

The Director of Development Services recommends approval of a 60-day time extension of the plat deferral with the following conditions:

1. No permanent utility service or certificate of occupancy shall be issued until the plat is approved and recorded in the office of the County Clerk.
2. The plat is formally filed within 60 days of this action and considered by the Planning Commission within 30 days of a formal plat filing.

**PLANNING COMMISSION**  
**BUILDING PERMIT VARIANCE REQUEST**  
**AGENDA ITEM NO: 18 August 25, 2004**

**NEW NORTHSIDE FORD**

**#BPV 04-004**

**COUNCIL DISTRICT: 9**

**FERGUSON MAP GRID: 550 F-2**

**OWNER:** NSF Realty, Ltd., by Gary V. Woods

**CONSULTANT:** Richie & Gueringer P.C., by Gay Gueringer

**CASE MANAGER:** Mark Celestino, Planner I

**Location:** An area bounded by US Hwy 281 N on the West and Arion Pkwy on the North

**Proposed Use:** Commercial automobile dealership

---

**APPLICANT'S REQUEST:**

The applicant has requested a variance to the sidewalk requirement along the US Hwy 281 N portion of the property in conjunction with the building permit process.

**DISCUSSION:**

The Department of Development Services, Engineering and the Department of Public Works, Disability Access Office have responded to the variance request as indicated in their attached reports and object to the granting of the variance.

**STAFF RECOMMENDATION:**

The Director of Development Services recommends denial of the request for the following reasons:

1. The applicant's request does not meet the sidewalk exception and does not demonstrate a hardship.

2. As indicated in both the Engineering Division and Disability Access Office responses, a survey of the area shows signs of pedestrian traffic along **US Hwy 281 N** through the grassy areas, an existing VIA bus stop at one entrance to the future development and numerous commercial/retail/office sites within close proximity of the referenced corner.
3. Therefore, existing development and commercial use along **US Hwy 281 N** warrant the sidewalks. Since the Unified Development Code requires sidewalks along adjacent streets, a continued lack of sidewalks on **US Hwy 281 N** would hinder pedestrian accessibility in the area. In addition, it is recommended that the existing sidewalk along Arion Pkwy be reconstructed to provide six(6) foot-wide sidewalks that meet ADA standards.

**PLANNING COMMISSION  
RIGHT-OF-WAY DEDICATION**

AGENDA ITEM NO: 19 August 25, 2004

CARLOS & TERESA CANTU  
**SUBDIVISION NAME**

RWD 04-08-004  
**PLAT #**

**COUNCIL DISTRICT:** Outside San Antonio City Limits

**FERGUSON MAP GRID:** 718, A7

**OWNER:** Carlos & Teresa Cantu

**Special Projects Coordinator:** Michael O.Herrera

**Date Filed with the Planning Commission:** August 25, 2004

**Location:** East of the intersection of Rabel Rd. and F.M. 1937 on Rabel Rd.

**Zoning:** Outside San Antonio City Limits

**Proposed Use:** Residential

**Major Thoroughfare:** Rabel Rd. is designated as an Enhanced Secondary Arterial requiring (120'-142' ROW)

---

**APPLICANT'S PROPOSAL:**

Exemption from platting requirements to show Right-of-Way dedication as otherwise required by the City of San Antonio, Unified Development Code (UDC).

**DISCUSSION:**

The applicant has met all of the following conditions:

- The applicant providing sufficient information to locate and describe the subject property.
- The subject property has an excess of 20 foot of frontage on a public street
- The tract has a minimum of 5000 square feet.
- The property is held under single ownership
- And the applicant will not further subdivide the property without undertaking the filing of a plat for the site.

**STAFF RECOMMENDATION:**

Is for acceptance of the dedication of Rights-of-Way.

**PLANNING COMMISSION  
RIGHT-OF-WAY DEDICATION**

**AGENDA ITEM NO: 20 August 25, 2004**

MICHAEL CANTU  
**SUBDIVISION NAME**

RWD 04-08-005  
**PLAT #**

**COUNCIL DISTRICT:** Outside San Antonio City Limits

**FERGUSON MAP GRID:** 718, A7

**OWNER:** Michael Cantu

**Special Projects Coordinator:** Michael O.Herrera

**Date Filed with the Planning Commision:** August 25, 2004

**Location:** East of the intersection of Rabel Rd. and F.M. 1937 on Rabel Rd.

**Zoning:** Outside San Antonio City Limits

**Proposed Use:** Residential

**Major Thoroughfare:** Rabel Rd. is designated as an Enhanced Secondary a  
Arterial requiring (120'-142' ROW)

---

**APPLICANT'S PROPOSAL:**

Exemption from platting requirements to show Right-of -Way dedication as otherwise required by the City of San Antonio, Unified Development Code (UDC).

**DISSCUSSION:**

The applicant has met all of the following conditions:

- The applicant providing sufficient information to locate and describe the subject property.
- The subject property has an excess of 20 foot of frontage on a public street
- The tract has a minimum of 5000 square feet.
- The property is held under single ownership
- And the applicant will not further subdivide the property without undertaking the filing of a plat for the site.

**STAFF RECOMMENDATION:**

Is for acceptance of the dedication of Rights-of-Way.



**PLANNING COMMISSION  
RIGHT-OF-WAY DEDICATION**

**AGENDA ITEM NO: 21 August 25, 2004**

CARLOS CANTU Jr.  
**SUBDIVISION NAME**

RWD 04-08-006  
**PLAT #**

**COUNCIL DISTRICT:** Outside San Antonio City Limits

**FERGUSON MAP GRID:** 718, A7

**OWNER:** Carlos Cantu Jr.

**Special Projects Coordinator:** Michael O.Herrera

**Date Filed with the Planning Commision:** August 25, 2004

**Location:** East of the intersection of Rabel Rd. and F.M. 1937 on Rabel Rd.

**Zoning:** Outside San Antonio City Limits

**Proposed Use:** Residential

**Major Thoroughfare:** Rabel Rd. is designated as an Enhanced Secondary a  
Arterial requiring (120'-142' ROW)

---

**APPLICANT'S PROPOSAL:**

Exemption from platting requirements to show Right-of -Way dedication as otherwise required by the City of San Antonio, Unified Development Code (UDC).

**DISSCUSSION:**

The applicant has met all of the following conditions:

- The applicant providing sufficient information to locate and describe the subject property.
- The subject property has an excess of 20 foot of frontage on a public street
- The tract has a minimum of 5000 square feet.
- The property is held under single ownership
- And the applicant will not further subdivide the property without undertaking the filing of a plat for the site.

**STAFF RECOMMENDATION:**

Is for acceptance of the dedication of Rights-of-Way.